



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification  
Of this Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application:  
Exam'r: **Jezia Riley**  
Prior Group Art Unit: **1637**

Attorney's  
Docket No.:  
**Enz-61(D3)**

### FILED BY EXPRESS MAIL

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Sir:

This is a request for filing a \_\_\_\_\_ CONTINUATION   X   DIVISIONAL \_\_\_\_\_  
CONTINUATION-IN-PART application under   X   37 CFR §1.53(b), of  
pending prior application Serial No. 10/096,075 filed on March 12, 2002  
of Stavrianopoulos et al.  
Inventor(s)


for

### **LABELING REAGENTS AND LABELED TARGETS, TARGET LABELING PROCESSES AND OTHER PROCESSES FOR USING SAME IN NUCLEIC ACID DETERMINATIONS AND ANALYSES**

Title of Invention

1.   X   Enclosed is a copy of the prior application, as originally filed and  
an affidavit or declaration verifying it as a true copy.
2.   X   Small entity status was previously established in a prior  
application and is still applicable.

#### EXPRESS MAIL CERTIFICATE

"Express Mail" Label No. EL833441824US  
Deposit Date January 22, 2004  
I hereby certify that this paper and the attachments  
herein are being deposited with the United States Postal  
Service "Express Mail Post Office to Addressee" service  
under 37 CFR 1.10 on the date indicated above and is  
addressed to the Commissioner of Patents and  
Trademarks, Washington DC 20231.  
  
Ronald C. Fedus  
Reg. No. 32,567

JAN 22 2004  
Dat

Stavrianopoulos, et al.

Serial No.: Not Yet Known

(Divisional of S. N. 10/096,075 filed March 12, 2002)

Filed: Herewith

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January 22, 2004)

3.   X   The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT									
					RATE			FEE	
	Number Filed		Number Extra		Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	76	=	56	x	\$ 9	\$ N/A	=	\$504	\$ ---
Independent Claims	4	=	1	x	\$ 43	\$ N/A	=	\$ 43	\$ ---
Multiple Dependent Claims Presented: _____ Yes <u>  X  </u> No					\$135	\$270		\$ --	\$ ---
* If the difference in Col. 1 is less than zero, enter "0" in Col.2						BASIC FEE		\$385	\$ ---
						TOTAL FEE		\$932	\$ ---

4.   X   The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

  X   Any additional filing fees required under 37 CFR §1.16.

  X   Any patent application processing fees under 37 CFR §1.17.

5.   X   The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

  X   Any patent application processing fees under 37 CFR §1.17.

       The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

Stavrianopoulos, et al.

Serial No.: Not Yet Known

(Divisional of S. N. 10/096,075 filed March 12, 2002)

Filed: Herewith

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January 22, 2004)

\_\_\_\_\_ Any filing fees under 37 CFR §1.16 for  
presentation of extra claims.

6. \_\_\_\_\_ A check in the amount of \$ \_\_\_\_\_ is enclosed.
7.   X   Cancel claim           2-286          .
8.   X   Amend the specification by inserting before the first line of the  
sentence: ---- This is a \_\_\_\_\_ continuation,   X   divisional  
of U.S. Patent Application Serial No. 10/096,075, filed on  
March 12, 2002.---
9. \_\_\_\_\_ Transfer the drawings from the prior application.
10.   X   Informal   X   Formal \_\_\_\_\_ drawings are enclosed.
11. \_\_\_\_\_ Abandon said prior application as of the filing date accorded this  
application. A **duplicate** copy of this sheet is enclosed for filing  
in the prior application file.
12. \_\_\_\_\_ Priority of application Serial No. \_\_\_\_\_ filed on  
\_\_\_\_\_ is claimed under 35 U.S.C. §119.  
\_\_\_\_\_ The certified copy of the priority application has  
been filed in prior application Serial No. \_\_\_\_\_ ,  
filed \_\_\_\_\_.
13.   X   The prior application is assigned of record to Enzo Life Sciences,  
Inc., c/o Enzo Biochem, Inc., 527 Madison Avenue, New York,  
New York 10022. A copy of the Assignment is enclosed.
14.   X   A preliminary amendment is enclosed.

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Serial No.: Not Yet Known

(Divisional of S. N. 10/096,075 filed March 12, 2002)

Filed: Herewith

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January 22, 2004)

15.       X       The power of attorney in the prior application is to:  
                    Ronald C. Fedus, Reg. No. 32,567.
- (a)       X       The power appears in the original papers in the  
                    prior application.
- (b)     \_\_\_\_\_     Since the power does not appear in the original  
                    papers, a copy of the power in the prior application  
                    is enclosed.
- (c)     \_\_\_\_\_     A copy of a new substitute power of attorney is  
                    enclosed.
- (d)       X       A copy of a new Associate Power of Attorney is  
                    enclosed.
- (e)       X       Address all future communications to: (May only  
                    be completed by applicant, or attorney or agent of  
                    record.)

Ronald C. Fedus, Esq.  
Enzo Life Sciences, Inc.  
c/o Enzo Biochem, Inc.  
527 Madison Avenue (9th Floor)  
New York, New York 10022-4304

16.       X       Oath or Declaration
- (a)     \_\_\_\_\_     Newly executed (original or copy)
- (b)       X       Copy from a prior application (37 CFR 1.63(d))
- (c)       X       With Power of Attorney
- (D)     \_\_\_\_\_     Without Power of Attorney

Stavrianopoulos, et al.

Serial No.: Not Yet Known

(Divisional of S. N. 10/096,075 filed March 12, 2002)

Filed: Herewith

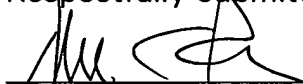
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January 22, 2004)

17.     X     I hereby verify that the attached papers are a true copy of prior  
application Serial No. 10/096,075, filed on March 12, 2002.

The undersigned declares further that all statements made herein of his own  
knowledge are true and that all statements made on information and belief are  
believed to be true; and further that these statements were made with the  
knowledge that willful false statements and the like so made are punishable by fine  
or imprisonment, or both, under Section 1001 of Title 18 of the United States Code  
and that such willful false statements may jeopardize the validity of the application  
or any patent issuing thereon.

January 22, 2004  
Date

Respectfully submitted,



Ronald C. Fedus

Registration No. 32,567

Attorney for Applicants

         Inventor(s)

         Assignee of Complete Interest

    X     Attorney or Agent of Record

    X     Filed under 37 CFR § 1.34(a)

Address of Signator:

Enzo Life Sciences, Inc.

c/o Enzo Biochem, Inc.

527 Madison Avenue (9th Floor)

New York, NY 10022-4304